



The Commonwealth of Massachusetts

DEPARTMENT OF PUBLIC UTILITIES

NOTICE OF PUBLIC HEARING AND REQUEST FOR COMMENTS

D.P.U. 08-75

March 6, 2009

Order Instituting a Rulemaking pursuant to G.L. c. 30A, § 2 and 220 C.M.R. §§ 2.00 et seq. to Implement the Net Metering Provisions of An Act Relative to Green Communities, St. 2008, c. 169, § 78 and to Amend 220 C.M.R. §§ 8.00 et seq., Qualifying Facilities and On Site Generating Facilities, and 220 C.M.R. §§ 11.00 et seq., Electric Industry Restructuring.

On March 6, 2009, the Department of Public Utilities ("Department") issued an Order instituting a rulemaking proceeding, pursuant to G.L. c. 30A, § 2 and 220 C.M.R. §§ 2.00 et seq., to implement the net metering provisions of Chapter 169 of the Acts of 2008, an Act Relative to Green Communities ("Green Communities Act"). To implement the net metering provisions of the Green Communities Act, the Department proposes regulations contained in 220 C.M.R. §§ 18.00 et seq. In addition, the Department proposes to amend (1) 220 C.M.R. §§ 8.00 et seq., Sales of Electricity by Qualifying Facilities and On-Site Generating Facilities to Distribution Companies, and Sales of Electricity by Distribution Companies to Qualifying Facilities and On-site Generating Facilities and (2) 220 C.M.R. §§ 11.00 et seq., Rules Governing the Restructuring of the Electric Industry, to be consistent with the Green Communities Act's net metering provisions. A copy of the Department's Order and regulations may be obtained at the Department's offices at the South Station address listed below. In addition, the Department has posted a copy of the Order and regulations on its website, <http://www.mass.gov/dpu>.

The Department will conduct a public hearing to receive comments on the proposed regulations. The hearing will take place on Monday, April 27, 2009, at 10:00 a.m. at the Division of Insurance Hearing Room, Fifth Floor, One South Station, Boston, Massachusetts 02110. Any person interested in commenting on this matter may appear at the public hearing or submit written comments to the Department not later than the close of business (5:00 p.m.) on Tuesday, April 14, 2009. Written reply comments must be filed no later than 5:00 p.m. on Monday, May 4, 2009.

An original and one (1) copy of all written documents must be filed with Mary L. Cottrell, Secretary, Department of Public Utilities, One South Station, 2nd Floor, Boston,

Massachusetts 02110. All documents exceeding 20 pages in length must contain an executive summary.

All documents should also be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to dpu.efiling@state.ma.us and Shaela.Collins@state.ma.us or (2) on a 3.5" disk or CD-ROM. The text of the e-mail, disk label, or CD-ROM must specify: (1) the docket number of the proceeding (D.P.U. 08-75), (2) name of the person or company submitting the filing, and (3) a brief descriptive title of the document. The electronic filing should also include the name, title and telephone number of a person to contact in the event of questions about the filing. The Department strongly encourages filers to avoid submitting scanned files but will accept them for posting when an alternative version does not exist in electronic format. In addition, if the petitioner, applicant, or any other participant has already filed a document relevant to this proceeding, such as the initial petition, application, or filing, without providing an electronic copy of that document, such entity is directed to do so in compliance with the above electronic filing requirements as soon as practicable. All documents submitted in electronic format will be posted on the Department's website: <http://www.mass.gov/dpu>.

By Order of the Department,

/s/

MARY L. COTTRELL, SECRETARY